

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BRIAN RITCHIE, individually and d/b/a  
VIOLENT FEMMES,

Plaintiff,

-v-

GORDON GANO, individually and d/b/a GORNO  
MUSIC a/k/a GORNO MUSIC (ASCAP) a/k/a  
GORNO MUSIC PUBLISHING,

Defendants.

No. 07-CIV-7269 (VM)

**PLAINTIFF'S EMERGENCY  
MOTION TO DISQUALIFY  
OPPOSING COUNSEL**

TO THE HONORABLE JAMES C. FRANCIS:

Pursuant to Local Civil Rule 1.4 of the Southern and Eastern Districts of New York, Plaintiff Brian Ritchie, individually and d/b/a Violent Femmes ("Plaintiff"), by and through his undersigned attorneys, moves the Court for an order to disqualify Robert S. Meloni and his law firms, Meloni & McCaffrey, P.C. and Robert S. Meloni, P.C., from further representation of Defendant Gordon Gano, individually and d/b/a Gorno Music a/k/a Gorno Music (ASCAP) a/k/a Gorno Music Publishing ("Defendant"), in this suit. The grounds for disqualifying opposing counsel include: (a) successive conflicts of interest; (b) concurrent conflicts of interest; (c) the witness-advocate rule; and (d) Robert S. Meloni is not currently qualified to practice before this Court.

This motion is based on the pleadings and papers on file in this case, as well as the attached Memorandum in Support of Plaintiff's Motion to Disqualify Opposing Counsel, the exhibits attached thereto, the pleadings and all other evidence on file.

Respectfully submitted,

**JACKSON WALKER L.L.P.**

By: :/s/ Emilio B. Nicolas

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(\*admitted *pro hac vice*)

ATTORNEYS FOR BRIAN RITCHIE,  
individually and d/b/a VIOLENT FEMMES

**CERTIFICATE OF SERVICE**

This is to certify that on this 20<sup>th</sup> day of June, 2008, a true and correct copy of the foregoing document was served by e-mail upon the following counsel of record:

Robert S. Meloni  
Thomas P. McCaffrey  
MELONI & McCAFFREY, P.C.  
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ATTORNEYS FOR DEFENDANT GORDON  
GANO, individually and d/b/a GORNO MUSIC  
a/k/a GORNO MUSIC (ASCAP) a/k/a GORNO  
MUSIC PUBLISHING

:/s/ Emilio B. Nicolas

Emilio B. Nicolas